

**SUPERIOR COURT
OF THE
STATE OF DELAWARE**

JAMES T. VAUGHN, JR.
PRESIDENT JUDGE

**KENT COUNTY COURT HOUSE
38 THE GREEN
DOVER, DELAWARE 19901**

**ADMINISTRATIVE DIRECTIVE
OF THE
PRESIDENT JUDGE OF THE SUPERIOR COURT
OF THE STATE OF DELAWARE**

NO. 2007-3

**TEMPORARY STAY OF OPERATION OF VEHICLE
CAUSING DEATH CASES**

This 2nd day of August, 2007,

WHEREAS, multiple challenges have been raised in Superior Court to the constitutionality and construction of 21 *Del. Code* § 4176A, titled "Operation of a vehicle causing death; unclassified misdemeanor;" and

WHEREAS, it appears that Superior Court decisions concerning said challenges are conflicting; and

WHEREAS, the following two questions are being certified to the Supreme Court pursuant to Supreme Court Rule 41 in the case of *State v. Stephen A. Hoover, Cr. A. No. IN07-06-1155*:

- a. Is 21 *Del. C.* § 4176A unconstitutionally vague?
- b. Do the general liability provisions of 11 *Del. Code* § 251(b) apply to 21 *Del. Code* § 4176A?

NOW, THEREFORE, IT IS DIRECTED that all criminal cases in which the defendant is charged with the offense of Operation of a Vehicle Causing Death are stayed pending the Supreme Court's determination whether to accept or refuse the

certified questions, and, if accepted, its decision on the questions.

/s/ James T. Vaughn, Jr.

President Judge

oc: Prothonotaries

cc: All Superior Court Judges
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